

Central Intelligence Agency



Washington, D.C. 20505

DD/A Registry  
84-05991

Dr. Robert M. Warner  
Archivist of the United States  
National Archives and Records Service  
General Services Administration  
Washington, DC 20408

Dear Dr. Warner:

The following comments are provided in response to your letter of 16 February 1984 concerning the planned review of Federal Records Center operations to determine whether they should be contracted out in accordance with OMB Circular A-76.

As you know, the Central Intelligence Agency (CIA) does not currently deposit records in the Federal Records Centers operated by the National Archives and Records Service (NARS). We understand, however, that records deposited in these Centers by other agencies may, in some cases, include information originated by CIA.

Access by a contractor to any such information that is national security classified must, of course, be restricted in accordance with Section 4.1(c) of Executive Order 12356. Section 4.1(c) requires that classified information disseminated outside the executive branch must be given protection equivalent to that afforded within the executive branch.

Moreover, access to any information concerning intelligence sources or methods, or the organization, functions, names, official titles, salaries, or numbers of personnel employed by CIA, must be restricted in accordance with requirements of the National Security Act of 1947 and the CIA Act of 1949. These requirements, with regards to intelligence information in the legal custody of NARS, were outlined most recently in a 27 April 1981 letter from the Director of Central Intelligence to the Acting Administrator of General Services (copy enclosed).

Sincerely,

Harry E. Fitzwater  
Deputy Director  
for  
Administration

Enclosure

DCI  
EXEC  
REG

6-278

27 APR 1981

Mr. Ray Kline  
Acting Administrator  
General Services Administration  
18th & F Streets, N.W.  
Washington, D.C. 20405

Dear Mr. Kline:

I would appreciate your cooperation on a matter recently brought to my attention. It concerns the need for formalized procedures within the National Archives and Records Service to protect from disclosure certain unclassified or unmarked United States intelligence information. The information of concern is that which by law is my responsibility as Director of Central Intelligence to protect, whether or not it is national security classified.

This responsibility derives from section 102(d)(3) of the National Security Act of 1947, which requires that I protect intelligence sources and methods information from unauthorized disclosure. In furtherance of this requirement, section 6 of the Central Intelligence Agency Act of 1949 exempts CIA from any law which requires disclosure of the organization, functions, names, official titles, salaries, or numbers of personnel employed by the Agency.

To ensure my legal responsibilities under both Acts are fulfilled, I request that the National Archives and Records Service establish procedures that will protect from disclosure all U.S. Government information in its legal custody concerning intelligence sources and methods, whether national security classified or not, unless previously officially released or approved for release by the Director of Central Intelligence or an official authorized by the Director of Central Intelligence.

Your agreement to this request will provide authority for personnel of the National Archives and Records Service to protect such information. I have been advised of and appreciate their continuing efforts to protect intelligence information from unauthorized disclosure.

Sincerely,

/s/ William J. Casey  
William J. Casey